

Amendment No. 1 to SB1913

Tracy
Signature of Sponsor

AMEND Senate Bill No. 1913

House Bill No. 1736*

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 55-4-231, is amended by adding the following as a new subsection (d):

(d)

(1) Any Air Medal (Meritorious or Valor) license plate issued to any recipient of the Air Medal prior to May 13, 2013, shall not be subject to the regular registration fee and shall be free of charge pursuant to § 55-4-203(b).

(2) Any Air Medal license plate initially issued to any recipient of the Air Medal (Meritorious) on or after May 13, 2013, shall be military cultural plates on and after such date; provided, that the plate shall be subject to the regular registration fee for plates, as prescribed under § 55-4-111, and the fee provided for in § 55-4-203(c)(1).

(3)

(A) Any Air Medal license plates initially issued to any recipient of the Air Medal (Valor) on or after May 13, 2013, and prior to the effective date of this act, shall be memorial plates upon their first renewal on or after May 13, 2013; provided, that the plates shall not be subject to the regular registration fee and shall be free of charge pursuant to § 55-4-203(b).

(B) Any Air Medal license plates initially issued to any recipient of the Air Medal (Valor) on or after the effective date of this act, shall be

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memorial plates on and after such date; provided, that the plates shall not be subject to the regular registration fee and shall be free of charge pursuant to § 55-4-203(b).

(4) Any Silver Star or Bronze Star (Valor) plates issued prior to the effective date of this act shall be considered memorial plates upon their first renewal on or after such date; provided, that such plates shall not be subject to the regular registration fee and shall be free of charge pursuant to § 55-4-203(b).

SECTION 2. Tennessee Code Annotated, Section 55-4-202(c)(4), is amended by adding the following as new, appropriately designated subdivisions:

- () Air Medal (Valor) recipients;
- () Bronze Star (Valor) recipients;
- () Silver Star recipients;

SECTION 3. Tennessee Code Annotated, Section 55-4-203(b), is amended by adding the following as new, appropriately designated subdivisions:

- () Air Medal (Valor) recipients;
- () Bronze Star (Valor) recipients;
- () Silver Star recipients;

SECTION 4. Tennessee Code Annotated, Section 55-4-202(c)(5)(E), is amended by inserting the language "(Meritorious)" between the language "Air Medal" and "recipients"; by inserting the language "(Meritorious)" between the language "Bronze Star" and "recipients"; and by deleting subdivision (x) in its entirety and redesignating the remaining subdivisions accordingly.

SECTION 5. Tennessee Code Annotated, Section 55-4-203(c)(1), is amended by inserting the language "(Meritorious)" between the language "Air Medal" and "recipients"; by inserting the language "(Meritorious)" between the language "Bronze Star" and "recipients"; and by deleting subdivision (J) in its entirety and redesignating the remaining subdivisions accordingly.

SECTION 6. Tennessee Code Annotated, Section 55-4-236(a), is amended by deleting the subsection in its entirety and by substituting instead the following:

(a) The department shall provide and issue, free of charge, to each resident of this state who is a recipient of the Distinguished Service Cross, the Navy Cross, the Air Force Cross, the Silver Star, the Distinguished Flying Cross, the Bronze Star (Valor), or the Air Medal (Valor), upon presentation of proper application, a memorial registration plate for one (1) motor vehicle or motor home which is registered or leased for private use in the name of any one (1) recipient. One (1) additional plate may be obtained by any eligible recipient upon payment of the regular registration fee for plates, as prescribed under § 55-4-111, and payment of one-half (1/2) of the fee provided for in § 55-4-203(c)(1). Additional plates may be obtained by any eligible recipient upon payment of the regular registration fee applicable for plates, as prescribed under § 55-4-111, and the fee provided for in § 55-4-203(c)(1). For the purposes of this section, "private use" vehicle means any motor vehicle authorized by § 55-4-210(c) or motor home that is not used for rehire or for any other commercial purpose.

SECTION 7. Tennessee Code Annotated, Section 55-4-236(b), is amended by designating the existing language as a new subdivision (1) and by adding the following as new subdivisions (2) and (3):

(2) On and after the effective date of this act, no plate on which the legend reads "Legion of Valor" shall be issued to any person entitled to a memorial or military cultural registration plate under this chapter, including any recipient of the Distinguished Service

Cross, Navy Cross or Air Force Cross. A recipient of the Distinguished Service Cross, Navy Cross or Air Force Cross shall be issued a distinctive Distinguished Service Cross, Navy Cross or Air Force Cross memorial registration plate, as appropriate.

(A) The Distinguished Service Cross plates provided for in this section shall include an identification legend distinctive to recipients of the Distinguished Service Cross. The legend shall read "Distinguished Service Cross". The registration number of the plate shall include the letters "SC" and a unique identifying number.

(B) The Navy Cross plates provided for in this section shall include an identification legend distinctive to recipients of the Navy Cross. The legend shall read "Navy Cross". The registration number of the plate shall include the letters "NC" and a unique identifying number.

(C) The Air Force Cross plates provided for in this section shall include an identification legend distinctive to recipients of the Air Force Cross. The legend shall read "Air Force Cross". The registration number of the plate shall include the letters "AC" and a unique identifying number.

(3) A recipient of the Silver Star, the Bronze Star (Valor), Air Medal (Valor), or the Distinguished Flying Cross shall be issued a distinctive Silver Star, Bronze Star (Valor), Air Medal (Valor), or Distinguished Flying Cross memorial plate, as appropriate.

(A) The Silver Star plates provided for in this section shall include an identification legend distinctive to recipients of the Silver Star. The legend shall read "Silver Star". The registration number of the plate shall include the letters "SS" and a unique identifying number.

(B) The Bronze Star (Valor) plates provided for in this section shall include an identification legend distinctive to recipients of the Bronze Star (Valor).

The legend shall read "Bronze Star - Valor". The registration number of the plate shall include the letters "BSV" and a unique identifying number.

(C) The Air Medal (Valor) plates provided for in this section shall include an identification legend distinctive to recipients of the Air Medal (Valor). The legend shall read "Air Medal - Valor". The registration number of the plate shall include the letters "REV" and a unique identifying number.

(D) The Distinguished Flying Cross plates provided for in this section shall include an identification legend distinctive to recipients of the Distinguished Flying Cross. The legend shall read "Distinguished Flying Cross". The registration number of the plate shall include the letters "FC" and a unique identifying number.

SECTION 8. Tennessee Code Annotated, Section 55-4-231, is amended by deleting subsections (a) and (b) in their entirety and by substituting instead the following:

(a) A recipient of the Bronze Star (Meritorious) or the Air Medal (Meritorious) who is a resident of this state and who is an owner or lessee of a motor vehicle, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and upon paying the regular registration fee for plates, as prescribed under § 55-4-111, and the fee provided for in § 55-4-203(c)(1), shall be issued a distinctive Air Medal (Meritorious) or Bronze Star (Meritorious) motor vehicle registration plate, as appropriate, for a motor vehicle authorized by § 55-4-210(c).

(b)

(1) The Bronze Star (Meritorious) plates provided for in this section shall include an identification legend distinctive to recipients of the Bronze Star (Meritorious). The legend shall read "Bronze Star - Meritorious". The registration number of the plate shall include the letters "BSM" and a unique identifying number.

(2) The Air Medal (Meritorious) plates provided for in this section shall include an identification legend distinctive to recipients of the Air Medal (Meritorious). The legend shall read "Air Medal - Meritorious". The registration number of the plate shall include the letters "REM" and a unique identifying number.

SECTION 9. Tennessee Code Annotated, Section 55-4-231(c), is amended by deleting the language "Air Medal plates, Silver Star plates, and Bronze Star plates" and substituting instead the language "Air Medal (Meritorious) plates and Bronze Star (Meritorious) plates"; and by deleting the language "a recipient of the Silver Star, the Bronze Star, or the Air Medal," and substituting instead the language "a recipient of the Bronze Star (Meritorious) or the Air Medal (Meritorious),".

SECTION 10. Tennessee Code Annotated, Section 55-4-233(a), is amended by deleting the language "for no more than two (2) motor vehicles or motor homes" and by substituting instead the language "for one (1) motor vehicle or motor home".

SECTION 11. Tennessee Code Annotated, Section 55-4-233(a), is further amended by adding the following at the end of the subsection:

One (1) additional plate may be obtained by any eligible recipient upon payment of the regular registration fee for plates, as prescribed under § 55-4-111, and payment of one-half (1/2) of the fee provided for in § 55-4-203(c)(1). Additional plates may be obtained by any eligible recipient upon payment of the regular registration fee for plates, as prescribed under § 55-4-111, and the fee provided for in § 55-4-203(c)(1).

SECTION 12. Tennessee Code Annotated, Section 55-4-235(a), is amended by deleting the language "shall be issued two (2) license plates for any two (2) motor vehicles" and by substituting instead the language "shall be issued one (1) license plate for any one (1) motor vehicle".

SECTION 13. Tennessee Code Annotated, Section 55-4-235, is amended by deleting the word “free” in subsection (b), and is further amended by adding the following at the beginning of subsection (c):

One (1) additional plate may be obtained by any eligible person upon payment of the regular registration fee for plates, as prescribed under § 55-4-111, and payment of one-half (1/2) of the fee provided for in § 55-4-203(c)(1).

SECTION 14. Tennessee Code Annotated, Section 55-4-237(a)(2), is amended by deleting the first sentence in its entirety and by substituting instead the following:

One (1) disabled veteran memorial license plate may be issued free of charge to any qualified applicant pursuant to this section; provided, that one (1) additional plate may be obtained by any eligible person upon payment of the regular registration fee for plates, as prescribed under § 55-4-111, and payment of one-half (1/2) of the fee provided for in § 55-4-203(c)(1).

SECTION 15. Tennessee Code Annotated, Section 55-4-237, is amended by deleting subsection (d) in its entirety and by substituting instead the following:

(d) A disabled veteran who is entitled under this section to be issued a memorial registration plate, free of charge, may elect in the alternative for the issuance of a registration plate for holders of the Purple Heart, free of charge, for one (1) motor vehicle authorized by § 55-4-210(c) or one (1) motor home, as defined in subdivision (a)(1), which is owned or leased by the disabled veteran; provided, that a disabled veteran shall meet the requirements of § 55-4-239(c) in order to be eligible for the issuance of a registration plate for a holder of the Purple Heart.

SECTION 16. Tennessee Code Annotated, Section 55-4-239, is amended by deleting subsections (e) - (g) in their entirety and by substituting instead the following:

(e)

(1) A disabled veteran who is entitled to be issued a special memorial registration plate, free of charge, pursuant to § 55-4-237, may elect in the alternative for the issuance of one (1) special memorial registration plate for holders of the Purple Heart, free of charge, for one (1) motor vehicle or one (1) recreational vehicle owned or leased by that disabled veteran; provided, that a disabled veteran shall meet the requirements of subsection (c) in order to be eligible for the issuance of a special memorial registration plate for holders of the Purple Heart.

(2) One (1) additional plate may be obtained by any eligible disabled veteran upon payment of the regular registration fee for plates, as prescribed under § 55-4-111, and payment of one-half (1/2) of the fee provided for in § 55-4-203(c)(1). Additional plates may be obtained by any person entitled to receive the holders of the Purple Heart registration plate upon payment of the regular registration fee for plates, as prescribed under § 55-4-111, and the fee provided for in § 55-4-203(c)(1).

(f)

(1) Upon the death of the spouse who was entitled to receive a holder of the Purple Heart registration plate, the surviving spouse shall be entitled to receive a Purple Heart registration plate for any motor vehicle or recreational vehicle owned or leased by the surviving spouse. The application shall be accompanied by a copy of the death certificate. To be entitled to the plate, the surviving spouse shall pay the regular registration fee for plates, as prescribed under § 55-4-111, and the fee provided for in § 55-4-203(c)(1).

(2) Plates issued to, or renewed by, surviving spouses under this section as it existed prior to the effective date of this act, shall not be subject to the

regular registration fee or the cost of producing the plate, and shall be free of charge.

SECTION 17. Tennessee Code Annotated, Section 55-4-239(d), is amended by deleting the language "shall be free of charge pursuant to § 55-4-203(b)(8)" and by substituting instead the language "shall be free of charge pursuant to § 55-4-203(b), except as provided in subdivision (e)(2)".

SECTION 18. Tennessee Code Annotated, Section 55-4-240, is amended by deleting the section in its entirety and by substituting instead the following:

55-4-240.

Memorial registration plates shall be issued in accordance with this part and § 55-4-235 pertaining to former prisoners of war, § 55-4-233 pertaining to recipients of the Congressional Medal of Honor, § 55-4-236 pertaining to recipients of the Distinguished Service Cross, Air Force Cross, Navy Cross, Silver Star, Bronze Star (Valor), Air Medal (Valor), and Distinguished Flying Cross, and § 55-4-237 pertaining to disabled veterans.

SECTION 19. Tennessee Code Annotated, Section 55-4-278, is amended by deleting the following language wherever it appears in the section:

by § 55-4-236 for recipients of the Distinguished Service Cross, the Distinguished Flying Cross, the Navy Cross, or the Air Force Cross,

and by substituting instead the following new language:

by § 55-4-236 for recipients of the Distinguished Service Cross, Navy Cross, Air Force Cross, Silver Star, Bronze Star (Valor), Air Medal (Valor), or the Distinguished Flying Cross,

SECTION 20. Tennessee Code Annotated, Section 55-4-278(b), is amended by deleting the following language:

by § 55-4-231 for Air Medal, Silver Star, and Bronze Star recipients,

and by substituting instead the following new language:

by § 55-4-231 for Air Medal (Meritorious) and Bronze Star (Meritorious) recipients,

SECTION 21. Tennessee Code Annotated, Section 55-4-244(a), is amended by deleting the language “A surviving spouse of such a deceased active, retired or honorably discharged member” and by substituting instead the language “A surviving spouse of a deceased retired or honorably discharged member or of a member who died while on active duty”.

SECTION 22. Tennessee Code Annotated, Title 55, Chapter 4, Part 2, is amended by adding the following as a new, appropriately designated section:

55-4-____.

(a) This section shall apply to memorial registration plates described in § 55-4-202(c)(4) and military registration plates described in § 55-4-202(c)(5)(E).

(b) Each registration plate to which this section applies shall be subject to a verification process that shall occur annually upon the renewal of the plate, if applicable, or upon such other time as determined by the department. The department may prescribe the form and manner of submitting any proof or documentation required by this section; provided, that the holder shall be permitted to submit such proof or documentation by mail or in person.

(c) At the time of annual verification, the holder of the plate shall submit satisfactory proof that the holder is a resident of the county in which the vehicle is registered, and any other proof that the department may require showing that the holder is complying with state motor vehicle laws relating to registration.

(d) If the holder of the plate is deceased as of the date of annual verification, and if the copy of the death certificate of the deceased holder has not been previously submitted, then the surviving spouse of the deceased or the

personal representative of the deceased holder's estate shall submit a copy of the death certificate at the time of the annual verification.

(e) If any surviving spouse of a deceased holder of a plate wishes to continue the issuance of, and retain the plate formerly held by the deceased holder, or apply for issuance of the plate to which the deceased spouse was entitled, as authorized by §§ 55-4-235, 55-4-239, 55-4-243, 55-4-244, or 55-4-253, as applicable, then the surviving spouse shall do so at the time of the annual verification. The surviving spouse shall submit a copy of the death certificate of the deceased holder and documentation showing the surviving spouse is a resident of the county for which the vehicle that is owned or leased by the deceased holder or surviving spouse is registered, and shall pay any applicable fees.

SECTION 23. Tennessee Code Annotated, Section 55-4-318, is amended by deleting the section in its entirety.

SECTION 24. Tennessee Code Annotated, Section 55-4-202(c)(5)(E), is amended by deleting subdivision (vi) in its entirety and redesignating the remaining subdivisions accordingly.

SECTION 25. Tennessee Code Annotated, Section 55-4-203(c)(1), is amended by deleting subdivision (F) in its entirety and redesignating the remaining subdivisions accordingly.

SECTION 26. Tennessee Code Annotated, Section 55-4-278(b), is amended by deleting the language "by § 55-4-253 for honorably discharged veterans, or by § 55-4-318 for handicapped veterans, as applicable" and by substituting instead the language "or by § 55-4-253 for honorably discharged veterans, as applicable".

SECTION 27. Tennessee Code Annotated, Title 55, Chapter 4, Part 2, is amended by adding the following language as a new, appropriately designated section:

55-4-____.

(a) On and after the effective date of this act, any registration plate that is retained or renewed by, or initially issued to, a surviving spouse pursuant to §§ 55-4-235, 55-4-239, 55-4-243, 55-4-244, or 55-4-253, as applicable, shall be distinguished by a surviving spouse decal. The design of the decal shall be subject to the approval of the commissioner of veterans' affairs. The placement of the decal on the plate shall be subject to the approval of the commissioner of revenue; provided, that the decal shall be placed in a conspicuous manner.

(b) The department of revenue shall charge a one-time fee for issuance of the decal in an amount sufficient to defray the administrative costs of implementing this section. The one-time fee for a decal is in addition to any other applicable fees required for issuance of the plate to the surviving spouse pursuant to §§ 55-4-235, 55-4-239, 55-4-243, 55-4-244, or 55-4-253; except, that a decal shall be issued free of charge to a surviving spouse who is issued a former prisoner of war registration plate free of charge under § 55-4-235 or a surviving spouse who, prior to the effective date of this act, was issued a Purple Heart registration plate free of charge under § 55-4-239. Upon application for a decal and payment of the one-time fee, the surviving spouse shall be entitled to issuance of the decal.

SECTION 28. Section 13 of Chapter 318 of the Public Acts of 2013, is amended by deleting the second and third sentences in their entirety and by substituting instead the following:

Any Air Medal military cultural plates initially issued to any recipient of the Air Medal (Meritorious) on or after May 13, 2013, shall be subject to the regular registration fee for plates, as prescribed under § 55-4-111, and the fee provided for in § 55-4-203(c)(1). Any Air Medal military cultural plates initially issued to any recipient of the Air Medal (Valor) on or after May 13, 2013, and prior to the

effective date of this act, shall be memorial plates upon their first renewal on or after May 13, 2013; provided, that the plates shall not be subject to the regular registration fee and shall be free of charge pursuant to § 55-4-203(b).

SECTION 29. Notwithstanding Tennessee Code Annotated, Title 55, Chapter 4, any person issued a Handicapped Veteran, Legion of Valor, Silver Star, Bronze Star, Distinguished Flying Cross, or Air Medal license plate prior to the effective date of this act, shall be entitled to retain the license plate for vehicular use upon compliance with all motor vehicle laws relating to registration and licensing of motor vehicles.

SECTION 30. Any memorial license plates issued free of charge prior to the effective date of this act, to an eligible person under the following sections as they existed prior to such date, shall be free of charge and shall not be subject to the regular registration fee for such plates: Tennessee Code Annotated, Sections 55-4-235 for former prisoners of war, 55-4-233 or 55-4-236, as applicable, for recipients of the Congressional Medal of Honor, 55-4-236 for recipients of the Distinguished Service Cross, the Distinguished Flying Cross, the Navy Cross, or the Air Force Cross, 55-4-237 for disabled veterans, including those disabled veterans who choose to receive the Purple Heart plate pursuant to Section 55-4-237(d), or 55-4-239 for holders of the Purple Heart plate or surviving spouses of deceased holders of the Purple Heart plate. Such persons shall be entitled to retain the plates for vehicular use upon compliance with all motor vehicle laws relating to registration and licensing of motor vehicles.

SECTION 31. Notwithstanding Tennessee Code Annotated, Sections 55-4-101, 55-4-118 or 55-4-119, if any holder of a Handicapped Veteran plate issued prior to the effective date of this act, pursuant to Tennessee Code Annotated, Section 55-4-318, as that section existed prior to such date, sells or otherwise transfers the holder's title or interest in the vehicle to which the plate is registered, then the plate shall expire and not be transferred or reassigned to another vehicle, and the holder shall surrender the plate to the department.

SECTION 32. This act shall take effect upon becoming a law, the public welfare requiring it.